

**PROFESSIONAL ENGINEERS SECTION  
Examining Board of Architects, Landscape Architects,  
Professional Engineers, Designers and Land Surveyors  
MINUTES  
MADISON, WISCONSIN  
MAY 4, 2001**

**PRESENT:** Harvey Shebesta, Lynda Farrar, and Nancy Sobczak

**EXCUSED:** Terry Richard

**STAFF PRESENT:** Alfred Hall, Jr., and Jan Bobholz; Bill Dusso and the Division of Enforcement staff were present for portions of the meeting.

**GUESTS PRESENT:** Christine Sloat, Wisconsin Society of Professional Engineers  
K. W. Bauer

**CALL TO ORDER**

The meeting was called to order at 9:42 a.m. by Harvey Shebesta, Chair. A quorum of 3 members was present.

**AGENDA**

**MOTION:** Nancy Sobczak moved, seconded by Lynda Farrar, to adopt the agenda as published. Motion carried unanimously.

**MINUTES (03/02/01)**

**MOTION:** Nancy Sobczak moved, seconded by Lynda Farrar to approve the minutes as published. Motion carried unanimously.

**ADMINISTRATIVE REPORT**

**Secretary Oscar Herrera**

Secretary Oscar Herrera was unavailable to meet with the Section.

**Bureau Director's Report**

- Board Roster

Noted.

- 2001 Meeting Dates

Noted.

- Regulatory Digest Draft

The Regulatory Digest Draft is due June 15, 2001. Articles will include: proposed legislation, WSPE Discovery Conference and 32<sup>nd</sup> Annual Governor's New Product Awards, NCEES

Central Zone Meeting Report, and administrative rules relating to electronic seals and digital signatures.

- To-Do List (3/02/01)

Noted.

- To-Pass Folder

Information was circulated in the To-Pass Folder and duly noted.

## **LEGISLATIVE UPDATE**

### **Proposed Legislation to Revise s. 443.04(1)(d), Stats.**

A request for draft legislation to revise s. 443.04(1)(d) Stats., to require passing the NCEES examination has been submitted.

## **ADMINISTRATIVE RULES UPDATE**

### **CR 01-034 Relating to Seals and Stamps**

The A-E Rules Committee has a telephone conference meeting scheduled for Thursday, May 31, 2001 to approve submitting CR-01-034 relating to registration seals and stamps to the legislative standing committee for review. The Rules Committee will review submitted comments and information on electronic and digital signatures.

## **SECTION MEMBER ACTIVITY**

### **WSPE Discovery Conference and 32<sup>nd</sup> Annual Governor's New Product Awards, May 11, 2001**

Harvey Shebesta and Alfred J. Hall, Jr., will attend the reception and awards presentation. Lynda Farrar stated that she will attend the exhibits only.

## **REGISTRATION ISSUES**

### **Mandatory Continuing Education**

The Section discussed mandatory continuing education. The Section indicated that summarizing the criteria of various states is very difficult, because every state has different criteria for continuing education. Mandatory continuing education would require a statutory change. The position of the Section is that while there is merit to having mandatory continuing education, the Section believes individual practitioners are addressing the issue.

### **Disciplinary Actions Taken Against Applicants Applying for EIT Certificates and Examinations, Shebesta**

Tabled for discussion at the next meeting.

## **PRACTICE ISSUES**

### **Unlicensed and Unqualified Persons Performing Professional Engineering Services, 4/09/01, Bauer**

The Section reviewed a letter written by Kurt W. Bauer, and the response, prepared by Board's legal counsel, Wayne Austin. In his response, Mr. Austin did not address the question of whether land surveyors may design stormwater management systems.

The design of stormwater management systems is a complex task and involves expertise in the sciences of statistics, hydrology and hydraulics, as well as experience in municipal engineering.

Bill Dusso advised the Section that only the Joint Board can adopt administrative rule changes. Before a decision can be reached, specific examples are needed to determine what type of work is being performed.

Alfred Hall stated that the Landscape Architect Section would not want someone designing a system that was beyond his or her expertise and experience.

Alfred Hall stated that Bill Dusso will prepare a response to Mr. Bauer stating that the Section reviewed his correspondence and that the Section shares his concern about individuals who are not licensed or are practicing beyond their scope of practice. As such concerns relate to land surveyors and landscape architects, the Section will refer this concern to the appropriate Sections. The Section would encourage Mr. Bauer to refer any direct cases of this nature to the Department for review.

Mr. Bauer's letter will be placed on the agenda for the next Land Surveyor Section's meeting and the Landscape Architect Section meeting

## **EXAMINATION ISSUES**

### **Central Executive Summary, Transition from Paper and Pencil to Computer-Based Testing: An Overview of Issues, March 2001, Newman and Wiesmiller**

The Section reviewed the Central Executive Summary prepared by the Oversight Group.

**MOTION:** Lynda Farrar moved, seconded by Nancy Sobczak, to support the Recommendation, Motions and Additional Opportunities of the Central Executive Summary, as prepared by the Oversight Group. Motion carried unanimously.

## **NCEES**

### **Report of Central Zone Meeting April 26-29, 2001, St. Paul, Minnesota**

Harvey Shebesta submitted a written report of the Central Zone Meeting.

### **Appoint Delegate to Annual Meeting**

Harvey Shebesta will attend the Annual Meeting as delegate. Alfred J. Hall, Jr. will serve as the alternate.

## **MISCELLANEOUS CORRESPONDENCE/INFORMATION**

None.

## **NEW BUSINESS**

There was no new business.

## **PRESENTATION OF PROPOSED STIPULATIONS BY DIVISION OF ENFORCEMENT**

### **Stipulations**

None.

## **RECESS TO CLOSED SESSION**

**MOTION:** Lynda Farrar moved, seconded by Nancy Sobczak, to convene the meeting in Closed Session pursuant to sections 19.85(1)(a), (b) and (f), Wis. Stats.: to consider the licensing or discipline of a person licensed by this section or the investigation of charges against such a person. Specifically, to discuss the issue of case status reports, case closings, examination issues, monitoring reports, review of applications, deliberations on stipulations that may be signed after printing of the agenda, requests for reinstatement of licensure, and to hold Class 1 hearings on denied applications of Drariush Shahnavaz, Mazen Amer, Reginald Howard, Michael Gritton, Larry Gunderson and Wessam Daoud. Motion carried by a roll call vote: Lynda Farrar-yes; Harvey Shebesta-yes, and Nancy Sobczak - yes

Open Session recessed at 11:40 a.m.

## **CLOSED SESSION**

The Section deliberated on a monitoring report, Class 1 hearings, reinstatement requests, application review, and examination issues.

## **OPEN SESSION**

By consensus, the Section reconvened in Open Session at 2:46 p.m.

## **VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

## **MONITORING REPORTS**

### **Paul Durand (Northridge, CA)**

The Section requested the Department Monitor to obtain additional specific and detailed information regarding his engineering involvement in Wisconsin projects.

## **HEARINGS ON DENIED APPLICATIONS**

### **Drariush Shahnava (Chicago, IL) (Did not attend in person)**

**MOTION:** Lynda Farrar moved, seconded by Nancy Sobczak, to approve the eligibility application for the principles and practice of engineering examination for Drariush Shahnava. Motion carried unanimously.

### **Mazen Amer (Milwaukee, WI)**

**MOTION:** Lynda Farrar moved, seconded by Nancy Sobczak, to reaffirm the denial of the licensure application by ABET approved degree and 8 years experience for Mazen Amer. Motion carried unanimously.

### **Reginald Howard (Wheaton, IL)**

**MOTION:** Lynda Farrar moved, seconded by Nancy Sobczak, to approve the licensure application by ABET approved degree and 8 years experience for Reginald Howard. Motion carried unanimously.

### **Michael Gritton (Orion, IL)**

**MOTION:** Lynda Farrar moved, seconded by Nancy Sobczak, to approve the eligibility application for the principles and practice of engineering examination for Michael Gritton. Motion carried unanimously.

### **Larry Gunderson (Sun Prairie, WI) (Did not appear in person)**

**MOTION:** Lynda Farrar moved, seconded by Nancy Sobczak to approve the eligibility application for the principles and practice of engineering examination for Larry Gunderson. Motion carried unanimously.

### **Wessam Daoud (Milwaukee, WI) (Did not appear in person)**

**MOTION:** Lynda Farrar moved, seconded by Nancy Sobczak, to approve the eligibility application for the principles and practice of engineering examination for Wessam Daoud. Motion carried unanimously.

## **REINSTATEMENT REQUEST**

### **Michael Beck (Maribel, WI)**

**MOTION:** Nancy Sobczak moved, seconded by Lynda Farrar, to approve the reinstatement request of Michael Beck and to refer the application to the Division of Enforcement for investigation of any unlicensed practice. Motion carried with one no vote.

**David DeBruine (Cincinnati, OH)**

**MOTION:** Nancy Sobczak moved, seconded by Lynda Farrar, to approve the reinstatement request of David DeBruine and to refer the application to the Division of Enforcement for investigation of any unlicensed practice. Motion carried with one no vote.

**Jerry Stifler (Portage, WI)**

**MOTION:** Nancy Sobczak moved, seconded by Lynda Farrar, to approve the reinstatement request of Jerry Stifler. Motion carried with one no vote.

**Thomas Waters (Scituate, MA)**

**MOTION:** Nancy Sobczak moved, seconded by Lynda Farrar, to approve the reinstatement request of Thomas Waters. Motion carried with one no vote.

**Marks Levy (Indianapolis, IN)**

**MOTION:** Nancy Sobczak moved, seconded by Lynda Farrar, to approve the reinstatement request of Marks Levy. Motion carried with one no vote.

**APPLICATION REVIEW**

**APPLICATIONS REVIEWED ON MAY 4, 2001**

The Section took the following action on applications.

**FOR REGISTRATION AS A PROFESSIONAL ENGINEER**

- By 16-Hour Written Examination

**Granted**

**MOTION:** Lynda Farrar moved, seconded by Nancy Sobczak, to approve the following application reviewed by the Section on May 4, 2001. Motion carried unanimously.

Manning, Bryan

Zangerle, Arthur

- By 8-Hour Written Examination

**Granted**

**MOTION:** Lynda Farrar moved, seconded by Nancy Sobczak, to approve the following application reviewed by the Section on May 4, 2001. Motion carried unanimously.

Cotton, Jeffery  
Eykholt, Gerald

Orr, Jeffrey  
Utterback, Wiley

- By approved Degree Plus 8 Years Experience

### Granted

**MOTION:** Lynda Farrar moved, seconded Nancy Sobczak, to approve the following applications reviewed by the Section on May 4, 2001. Motion carried unanimously.

Anderson, Janet  
Anderson, Robert  
Braun, Karen  
D'Amato, Frank  
Daggett, Ronald  
Emir, Mustafa  
Fiddelke, John  
Flottmeyer, Stephen  
Hunt, John  
Kester, Gregory  
Koetz, John  
Landey, Charles  
Lex, Robert  
Marshall, Stephen

McElroy, David  
McHale, David  
McKearn, Frank  
Missimer, Richard  
Monahan, Terry  
Nemec, Lee  
Novak, Jane  
Rausch, Brian  
Raysky, Joseph  
Salzman, Terry  
Shah, Hasmukh  
Stearn, Gayle  
Wallace, Anne  
Way, David

### Deny

**MOTION:** Lynda Farrar moved, seconded by Nancy Sobczak, to deny the following applications reviewed by the Section on May 4, 2001. Motion carried unanimously.

Dietrich, Garry  
Schaefer, Ann

Taylor, Douglas  
Yagla, Steve

## FOR PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION

### Granted

**MOTION:** Lynda Farrar moved, seconded by Nancy Sobczak, to approve the eligibility application for the principles and practice of engineering examination for the following applications reviewed by the Section on May 4, 2001. Motion carried unanimously.

Chamberlain, Ronald  
Johnson, Eric  
Kavaleski Jr, William  
Lopez, Saul

Nejedlo, Thomas  
Palmer, Aaron  
Ruiz, Hugo  
Shade, Neal

## **ADJOURNMENT**

**MOTION:** Nancy Sobczak moved, seconded by Lynda Farrar, to adjourn the meeting at 2:50 p.m. Motion carried unanimously.

